

Remarks

In the response filed on March 14, 2005, Applicants elected claims 1 – 6, 8 – 15 and 22 – 24. Applicants hereby affirm that election. Consequently, claims 1 – 6, 8 – 15 and 22 – 24 are pending in this application. Claims 7, 16 – 21 and 25 -33 are withdrawn. Claims 1 – 6, 8 – 15 and 22 – 24 are rejected in the present Office Action.

Claims 10 and 11 were objected to as due to informalities. Claims 10 and 11 have been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the Examiner withdraw the objections to claims 10 and 11.

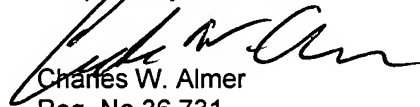
Claims 1 – 6, 8 – 10, 12 - 15 and 22 – 24 were rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative under 35 U.S.C. 103(a) as unpatentable over, U.S. Patent No. 3,875,090, issued to Levy. Claim 2 has been cancelled. Levy discloses a high impact, abrasion resistant coating composition comprising a mixture of a partially hydrolyzed vinyl chloride-vinyl acetate copolymer, an alkyd and an isocyanate terminated urethane prepolymer. The components of Levy are thoroughly mixed and reacted with each other before application onto the desired surface. In contrast to Levy, the present invention discloses a one part hydroxyl functional primer for polymer composites. As opposed to the two part composition of Levy, the primer of the present invention is capable of application directly on a substrate without an adhesive component. The primer of the present invention is cured directly on the substrate before the application of any adhesive. This is in direct contrast to Levy which provides a two part urethane coating. There is no evidence in Levy that any portion of its composition would function as an independent primer such as that of the present invention. With the primer of the present invention, a separate primer layer will be present after application of the coating and curing. Consequently, there is no expectation that the properties of Levy, including the Tg and molecular weight would be the same as those of the present invention. As anticipation under 35 U.S.C. 102(b) requires identity of invention, in view of the differences between Levy and the present invention it is respectfully submitted that claims 1, 3 – 6, 8 – 10, 12 - 15 and 22 – 24 are patentable under 35 U.S.C. 102(b) over Levy. Further, there is no disclosure, teaching or suggestion in Levy that would lead one skilled in the art to the primer of the present invention.

Levy discloses a composition of various ingredients, and there is no teaching that would lead one skilled in the art to pick certain of those elements to form a primer such as that of the present invention. In view of the lack of teaching of a primer such as that of the present invention in Levy, it is respectfully submitted that claims 1, 3 – 6, 8 – 10, 12 – 15 and 22 – 24 are patentable under 35 U.S.C. 103(a) over Levy.

Claim 11 was rejected as unpatentable under 35 U.S.C. 103(a) over Levy. The distinctions between Levy and the present invention set forth above are equally applicable to the present rejection. Accordingly, it is respectfully submitted that claim 11 is patentable under 35 U.S.C. 103(a) over Levy.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance. If there are any issues that the Examiner wishes to discuss, please contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,


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